OIPE JC996
JUL 01 2004
PATENT & TRADEMARK OFFICE

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DOCKET NO.: C0989.70037US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Nadel et al.
Serial No.:	10/762,207
Confirmation No.:	2512
Filed:	January 21, 2004
For:	HIGH RESOLUTION LINEAR ANALYSIS OF POLYMERS
Examiner:	Not Yet Assigned
Art Unit:	1634

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 29 day of June, 2004.

Kristin J. Ketelhut

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

[X] Information Disclosure Statement
[X] PTO Form 1449
[X] Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Nadel et al., Applicant

By: _____
Walt Norfleet, Reg. No. 52,078
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617)646-8000

Docket No. C0989.70037US00
Date: June 29, 2004
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Kristin J. Ketelhut

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

Docket No.	Serial No.	Filing Date	Inventor(s)
*C0989.70011US00	09/373,822	August 13, 1999	Tegenfeldt et al.
*C0989.70014US00	09/373,702	August 13, 1999	Chan
*C0989.70016US00	09/852,968	May 10, 2001	Chan
*C0989.70017US00	09/875,779	June 6, 2001	Chan et al.
*C0989.70020US00	10/165,914	June 10, 2002	Shia et al.
*C0989.70021US00	10/166,567	June 10, 2002	Wong
*C0989.70023US01	10/821,664	April 9, 2004	Fuchs et al.
*C0989.70028US00	10/421,644	April 23, 2003	Gilmanshin et al.
*C0989.70031US00	09/783,472	February 14, 2001	Wellman et al.
*C0989.70032US00	09/783,930	February 15, 2001	Gilmanshin et al.
*C0989.70036US00	09/928,668	August 13, 2001	Chan
*C0989.70045US01	10/763,567	January 23, 2004	Gilmanshin et al
*C0989.70049US00	10/448,264	May 28, 2003	Chan
*C0989.70054US00	10/622,076	July 17, 2003	Gilmanshin
*C0989.70060US00	10/435,399	May 9, 2003	Chan

The Applicant would like to bring to the Examiner's attention the below-identified documents (copies enclosed) from an International Application corresponding to U.S. Application Serial No. 10/246,779, filed September 18, 2002, to which the present application claims priority.

Docket No.	Serial No.	Mailing Date	Type of Report
C0989.70035WO00	PCT/US02/29687	13 March 2003	International Search Report
C0989.70035WO00	PCT/US02/29687	14 August 2003	Written Opinion
C0989.70035WO00	PCT/US02/29687	21 October 2003	International Preliminary Examination Report

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/246,779, filed September 18, 2002, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

The following are remarks concerning the other information cited:

PART V: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Nadel et al., *Applicant*

By: _____

Walt Norfleet, Reg. No. 32,078
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 646-8000

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FORM PTO-1449/A and B (Modified)	APPLICATION NO.: 10/762,207	ATTY. DOCKET NO.: C0989.70037US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE: January 21, 2004	CONFIRMATION NO.: 2512
	APPLICANT: Nadel et al.	
Sheet 1 of 2	GROUP ART UNIT: 1634	EXAMINER: Not Yet Assigned

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document Number	U.S. Patent Document Kind Code	Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
	A1*	5,200,313	A1	Carrico	04-06-1993
	A2*	5,422,271		Chen et al.	06-06-1995
	A3*	5,858,671	A1	Jones	01-12-1999
	A4*	5,912,127	A1	Narod et al.	06-15-1999
	A5*	6,020,126	A1	Carlsson et al.	02-01-2000
	A6*	6,150,089		Schwartz	11-21-2000
	A7*	6,210,896	B1	Chan	04-03-2001
	A8*	6,225,067	B1	Rogers	05-01-2001
	A9*	6,246,046	B1	Landers et al.	06-12-2001
	A10*	6,248,537	B1	Bensimon et al.	06-19-2001
	A11*	6,263,286	B1	Gilmanshin et al.	06-17-2001
	A12*	6,294,136	B1	Schwartz	09-25-2001
	A13*	6,355,420	B1	Chan	03-12-2002
	A14*	6,403,311	B1	Chan	06-11-2002
	A15*	6,696,022	B1	Chan et al.	02-24-2004

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document Office/ Country	Foreign Patent Document Number	Foreign Patent Document Kind Code	Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
	B1*	WO	00/09757	A1	Tegenfeldt et al.	02-24-2000	
	B2*	WO	01/13088	A1	Chan et al.	02-22-2001	
	B3*	WO	98/35012	A3	Chan	08-13-1998	
	B4*	WO	98/49344	A1	Ramsey et al.	011-05-1998	

OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	C1*	BEZRUKOV et al., "Counting Polymers Moving Through a Single Ion Channel", Nature, 370: 279-281, 1994		
	C2*	BUSTAMANTE, "Direct Observation and manipulation of Single DNA Molecules Using Fluorescence Microscopy", Annu. Rev. Biophys. Biophys. Chem., 20:415-446, 1991		
	C3*	GURRIERI et al., "Imaging of Kinked Configurations of DNA Molecules Undergoing Orthogonal Field Alternating Gel Electrophoresis by Fluorescence Microscopy", Biochem., 29:3396-3401, 1990		
	C4*	KASIANOWICZ et al., "Characterization of Individual Polynucleotide Molecules Using a membrane Channel" Proc. natl. Acad. Sci. USA, 93:13770-13773, 1996		
	C5*	MATSUMOTO et al., "Light Microscopic Structure of DNA in Solution Studied by the 4',6-Diamidino-2-phenylindole Staining Method", Dept of Biophys, Faculty of Science, Kyoto University, Kyoto 606, Japan, pps 501-516, 1981		
	C6*	MENG ET AL., "OPTICAL MAPPING OF LAMBDA BACTERIOPHAGE CLONES USING RESTRICTION ENDONUCLEASES", NAT. GENETICS, 9:432-438, 1995		

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Sheet 2 of 2	GROUP ART UNIT: 1634	EXAMINER: Not Yet Assigned

	C7*	WITTWER et al., Continuous Fluorescence Monitoring of Rapid Cycle DNA Amplification. BioTechniques, January 1997, Vol. 22, No. 1, pages 130-138.		

EXAMINER	DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/246,779 , filed September 18, 2002 , and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]